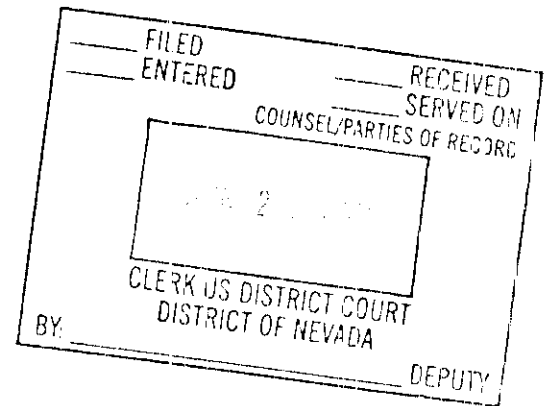


SEALED

U. S. Department of Justice
United States Attorney
District of Nevada
333 Las Vegas Blvd., S., Suite 5000
Las Vegas, NV 89101



STEVEN W. MYHRE
Acting United States Attorney
KIMBERLY M. FRAYN
Assistant United States Attorney
Organized Crime Strike Force
333 Las Vegas Blvd. South, Suite 5000
Las Vegas, Nevada 89101
(702) 388-6336
(702) 388-6418 Fax

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

-oOo-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KATHY NELSON,

a.k.a Kathleen Cruz,

a.k.a. Kathy Debeloitte,

a.k.a. Kathleen Lesinski

GENA RAMAEKERS,

a.k.a. Grazyna Ramaekers,

a.k.a. Grazyna Mikolajczyk, and

DEZRINE JONES,

Defendants.

CRIMINAL INDICTMENT

2:07-CR-00132-PMP-RJJ

VIOLATIONS:

18 U.S.C. § 1546(a) - False Application

18 U.S.C. § 1001(a)(2) - False Statement

18 U.S.C. § 1341 - Mail Fraud

18 U.S.C. § 1343 - Wire Fraud

8 U.S.C. § 1324(a)(1)(iv), (v)(II) -

Inducing Aliens to Come to, Enter, and

Reside in the United States in Violation of

Law; and

8 U.S.C. § 1324(a)(1)(iv), (v)(I) -

Conspiracy to Harbor Illegal Aliens

THE GRAND JURY CHARGES THAT:

SUMMARY OF VIOLATIONS

1. Counts One through Seven: False Application, Title 18, United States Code, Sections 1546(a) and 2, defendant **KATHY NELSON** a.k.a Kathleen Cruz, a.k.a. Kathy Debeloitte, a.k.a. Kathleen Lesinski.

2. Counts Eight through Ten: False Statement, Title 18, United States Code, Section 1001(a)(2), defendant **KATHY NELSON** a.k.a Kathleen Cruz, a.k.a. Kathy Debeloitte, a.k.a. Kathleen Lesinski.

1 3. Counts Eleven and Twelve: Mail Fraud, Title 18, United States Code, Section
2 1341, defendant **KATHY NELSON** a.k.a Kathleen Cruz, a.k.a. Kathy Debeloitte, a.k.a.
3 Kathleen Lesinski.

4 4. Counts Thirteen through Seventeen: Wire Fraud, Title 18, United States Code,
5 Section 1343, defendant **KATHY NELSON** a.k.a Kathleen Cruz, a.k.a. Kathy Debeloitte,
6 a.k.a. Kathleen Lesinski.

7 5. Counts Eighteen and Nineteen: Inducing Alien to Come to, Enter, and Reside
8 in United States in violation of Law, Title 8, United States Code, Section 1324(a)(1)(iv) and
9 (v)(II), defendants **KATHY NELSON** a.k.a Kathleen Cruz, a.k.a. Kathy Debeloitte, a.k.a.
10 Kathleen Lesinski, and **DEZRINE JONES**.

11 6. Count Twenty: Conspiracy to Harbor Illegal Aliens, Title 8, United States Code,
12 Section 1324(a)(1)(iii) and (v)(I), defendants **KATHY NELSON** a.k.a Kathleen Cruz, a.k.a.
13 Kathy Debeloitte, a.k.a. Kathleen Lesinski, **GENA RAMAEKERS**, a.k.a. Grazyna
14 Ramaekers, a.k.a. Grazyna Mikolajczyk, and **DEZRINE JONES**.

15 **COUNTS ONE THROUGH SEVEN**

16 False Application

17 On or about the dates listed below, in the State and Federal District of Nevada, and
18 elsewhere, in a matter within the jurisdiction of the United States Department of Homeland
19 Security-Immigration and Customs Enforcement,

20 **KATHY NELSON,**
21 a.k.a Kathleen Cruz,
22 a.k.a. Kathy Debeloitte,
 a.k.a. Kathleen Lesinski,

23 a defendant herein, did knowingly make under oath and subscribe as true under penalty of
24 perjury, a false statement with respect to a material fact in a form used by the United States
25 Citizenship and Immigration Service, that is, INS Form I-129, known as a "Petition for
26 Nonimmigrant Worker," in which defendant **KATHY NELSON** stated that the aliens would

1 be working for Gulf Coast Resort Management in Crested Butte, Colorado, when defendant
 2 **KATHY NELSON** then and there well knew that the aliens would not be working in Crested
 3 Butte, Colorado, all in violation of Title 18, United States Code, Sections 1546(a).

4 <u>Count</u>	<u>Date</u>	<u>No. of Aliens</u>	<u>Country</u>
5 ONE	February 1, 2004	33	Jamaica, Romania, Poland
6 TWO	September 9, 2004	11	Jamaica
7 THREE	September 11, 2004	18	Armenia
8 FOUR	September 11, 2004	50	Columbia
9 FIVE	September 15, 2004	31	Columbia
10 SIX	September 26, 2004	17	Argentina
11 SEVEN	October 27, 2004	50 (unnamed)	Columbia

12 **COUNTS EIGHT THROUGH TEN**

False Statement

13
 14 On or about the dates listed below, in the State and Federal District of Nevada, and
 15 elsewhere, in a matter within the jurisdiction of the United States Department of Labor, an
 16 agency of the United States,

17 **KATHY NELSON,**
 a.k.a Kathleen Cruz,
 a.k.a. Kathy Debelloitte,
 18 a.k.a. Kathleen Lesinski,

19 defendant herein, did knowingly make under oath and subscribe as true under penalty of
 20 perjury under Title 28, United States Code, Section 1746, false, fraudulent, and fictitious
 21 material statements and representations in a form used by the United States Department of
 22 Labor, that is, ETA 750, known as an "Application for Alien Employment Certification" in
 23 which defendant **KATHY NELSON** stated that the aliens would be working for Gulf Coast
 24 Resort Management in Crested Butte, Colorado, when defendant **KATHY NELSON** then
 25 and there well knew that the aliens would not be working in Crested Butte, Colorado, all in
 26 violation of Title 18, United States Code, Sections 1001(a)(2).

<u>Count</u>	<u>Date</u>	<u>No. of Aliens</u>	<u>Intended Dates of Employment</u>
EIGHT	October 24, 2003	35	12/15/03 to 4/30/04
NINE	June 30, 2004	50	11/01/04 to 4/30/05
TEN	June 30, 2004	110	11/01/04 to 4/30/05

COUNTS ELEVEN AND TWELVE

Mail Fraud

1. From on or before October 24, 2003, and continuing until on or about April 4, 2005,

KATHY NELSON,
a.k.a Kathleen Cruz,
a.k.a. Kathy Debeloitte,
a.k.a. Kathleen Lesinski,

defendant herein, aided and abetted by others known and unknown to the Grand Jury, did devise a scheme and artifice to defraud aliens of monies, funds, and United States currency, and to defraud agencies of the United States.

2. It was part of the scheme and artifice that defendant **KATHY NELSON** made false and fraudulent representations and promises to aliens that she and others known and unknown to the Grand Jury could arrange for aliens to lawfully enter and remain in the United States to perform seasonal, nonagricultural work. Aliens subsequently paid to defendant **KATHY NELSON** and others on her behalf monies, funds, and United States currency for defendant **KATHY NELSON** and others known and unknown to arrange with appropriate United States agencies and authorities for the aliens to lawfully enter the United States to perform seasonal, nonagricultural work.

It was part of the scheme and artifice that defendant **KATHY NELSON** made false and fraudulent statements in forms used by the United States Department of Labor, that is, ETA 750, known as an "Application for Alien Employment Certification" and forms used by the

1 United States Citizenship and Immigration Service, that is, INS Form I-129, known as a
 2 "Petition for Nonimmigrant Worker," in which defendant **KATHY NELSON** falsely stated that
 3 the aliens would be working for Gulf Coast Resort Management in Crested Butte, Colorado.
 4 Subsequently, defendant **KATHY NELSON**, through in part her submission of fraudulent
 5 forms to agencies of the United States, did induce aliens, who believed they were lawfully
 6 entering the United States to perform seasonal, nonagricultural work, to unlawfully enter and
 7 illegally remain in the United States for the purposes of defendant **KATHY NELSON**'s own
 8 commercial advantage and private financial gain.

9 3. On or about the dates listed below, in the State and Federal District of Nevada
 10 and elsewhere,

11 **KATHY NELSON,**
 12 a.k.a Kathleen Cruz,
 13 a.k.a. Kathy Debelloitte,
 a.k.a. Kathleen Lesinski,

14 defendant herein, for the purpose of executing the scheme and artifice, did place in and
 15 cause to be placed in the mails, a matter and thing to be sent and delivered by an authorized
 16 depository for mail matter, that is, Federal Express, and did knowingly cause to be delivered
 17 by the mails according to the instructions thereon such matter and thing, that is, the below
 18 described mail matter, with each mailing constituting a separate violation of Title 18, United
 19 States Code, Section 1341.

20	<u>Count</u>	<u>Date</u>	<u>Mailing</u>
21	ELEVEN	on or about 02/02/04	KATHY NELSON did mail and did cause to be
22			mailed through Federal Express, from Henderson,
23			Nevada, to Laguna Niguel, California, an INS Form
24			I-129, known as a "Petition for Nonimmigrant
25			Worker," executed on or about February 1, 2004,
26			for 33 aliens.

1 **TWELVE** on or about 10/27/04 **KATHY NELSON** did mail and did cause to be
2 mailed through Federal Express, from Henderson,
3 Nevada, to Lincoln, Nebraska, an INS Form I-129,
4 known as a "Petition for Nonimmigrant Worker,"
executed on or about October 27, 2004, for 50
unnamed aliens.

5 **COUNTS THIRTEEN THROUGH SEVENTEEN**
6 Wire Fraud

7 1. From on or before October 24, 2003, and continuing until on or about April 4,
8 2005,

9 **KATHY NELSON,**
10 a.k.a Kathleen Cruz,
a.k.a. Kathy Debeloitte,
11 a.k.a. Kathleen Lesinski,

12 defendant herein, aided and abetted by others known and unknown to the Grand Jury, did
13 devise a scheme and artifice to defraud aliens of monies, funds, and United States currency,
14 and to defraud agencies of the United States.

15 2. It was part of the scheme and artifice that defendant **KATHY NELSON** made
16 false and fraudulent representations and promises to aliens that she and others known and
17 unknown to the Grand Jury could arrange for aliens to lawfully enter and remain in the United
18 States to perform seasonal, nonagricultural work. Aliens subsequently paid to defendant
19 **KATHY NELSON** and others on her behalf monies, funds, and United States currency for
20 defendant **KATHY NELSON** and others known and unknown to arrange with appropriate
21 United States agencies and authorities for the aliens to lawfully enter the United States to
22 perform seasonal, nonagricultural work.

23 It was part of the scheme and artifice that defendant **KATHY NELSON** made false
24 and fraudulent statements in forms used by the United States Department of Labor, that is,
25 ETA 750, known as an "Application for Alien Employment Certification" and forms used by
26 the United States Citizenship and Immigration Service, that is, INS Form I-129, known as a

1 "Petition for Nonimmigrant Worker," in which defendant **KATHY NELSON** falsely stated that
 2 the aliens would be working for Gulf Coast Resort Management in Crested Butte, Colorado.
 3 Subsequently, defendant **KATHY NELSON**, through in part her submission of fraudulent
 4 forms to agencies of the United States, did induce aliens, who believed they were lawfully
 5 entering the United States to perform seasonal, nonagricultural work, to unlawfully enter and
 6 illegally remain in the United States for the purposes of defendant **KATHY NELSON's** own
 7 commercial advantage and private financial gain.

8 3. On or about the dates listed below, in the State and Federal District of Nevada,
 9 and elsewhere,

10 **KATHY NELSON,**
 a.k.a Kathleen Cruz,
 11 a.k.a. Kathy Debelloitte,
 a.k.a. Kathleen Lesinski,
 12

13 defendant herein, for the purpose of executing the scheme and artifice, did transmit and did
 14 cause to be transmitted by means of wire communications in interstate commerce, certain
 15 writings, signs, signals, pictures, and sounds, that is, forms used by the United States
 16 Citizenship and Immigration Service, to wit: INS Form I-129, known as a "Petition for
 17 Nonimmigrant Worker," on or about the dates listed below, with each wire communication
 18 constituting a separate violation of Title 18, United States Code, Section 1343.

19 <u>Count</u>	<u>Date</u>	<u>Wire</u>
20 THIRTEEN	on or about 09/09/04	KATHY NELSON did transmit in interstate commerce, from Henderson, Nevada, to Lincoln, Nebraska, by means of wire communication an INS Form I-129, known as a "Petition for Nonimmigrant Worker," executed on or about September 9, 2004, for 11 aliens.
21		
22		
23		

24

25

26

<u>Count</u>	<u>Date</u>	<u>Wire</u>
FOURTEEN	on or about 09/11/04	KATHY NELSON did transmit in interstate commerce, from Henderson, Nevada, to Lincoln, Nebraska, by means of wire communication an INS Form I-129, known as a "Petition for Nonimmigrant Worker," executed on or about September 11, 2004, for 18 aliens.
FIFTEEN	on or about 09/11/04	KATHY NELSON did transmit in interstate commerce, from Henderson, Nevada, to Lincoln, Nebraska, by means of wire communication an INS Form I-129, known as a "Petition for Nonimmigrant Worker," executed on or about September 11, 2004, for 50 aliens.
SIXTEEN	on or about 09/15/04	KATHY NELSON did transmit in interstate commerce, from Henderson, Nevada, to Lincoln, Nebraska, by means of wire communication an INS Form I-129, known as a "Petition for Nonimmigrant Worker," executed on or about September 15, 2004, for 31 aliens.
SEVENTEEN	on or about 09/26/04	KATHY NELSON did transmit in interstate commerce, from Henderson, Nevada, to Lincoln, Nebraska, by means of wire communication an INS Form I-129, known as a "Petition for Nonimmigrant Worker," executed on or about September 26, 2004, for 17 aliens.

COUNT EIGHTEEN AND NINETEEN

Inducing Aliens to Come To, Enter, and Reside in the United States in Violation of Law

On or about the below listed dates, in the State and Federal District of Nevada,

and elsewhere,

KATHY NELSON,
a.k.a Kathleen Cruz,
a.k.a. Kathy Debelloitte,
a.k.a. Kathleen Lesinski, and
DEZRINE JONES,

defendants herein, aiding and abetting one another, for the purpose of their own commercial advantage and private financial gain, did encourage and induce the below described aliens

to come to, enter, and reside in the United States, knowing and in reckless disregard of the fact that their coming to, entry, and residing in the United States was in violation of law, with each alien constituting a separate violation.

All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iv) 1324(a)(1)(A)(v)(II), and 1324(a)(1)(B)(i).

<u>Counts</u>	<u>Date</u>	<u>Alien Beneficiary</u>
EIGHTEEN	Arrival on or about 12/01/04	Juan Manuel Muzzio by means of INS Form I-129, known as a "Petition for Nonimmigrant Worker," executed on or about September 26, 2004 for 17 aliens
NINETEEN	Arrival on or about 12/01/04	Paola Rios by means of INS Form I-129, known as a "Petition for Nonimmigrant Worker," executed on or about September 26, 2004 for 17 aliens

COUNT TWENTY

Conspiracy to Harbor Aliens in Violation of Law

From on or about October 24, 2003, until on or about April 4, 2005, in the State and Federal District of Nevada, and elsewhere,

KATHY NELSON,
a.k.a. Kathleen Cruz,
a.k.a. Kathy Debeloitte,
a.k.a. Kathleen Lesinski,
GENA RAMAEKERS,
a.k.a. Grazyna Ramaekers,
a.k.a. Grazyna Mikolajczyk, and
DEZRINE JONES,

did knowingly and intentionally combine, conspire, confederate and agree together and with each other and persons known and unknown to the Grand Jury, to conceal, harbor, and shield from detection illegal aliens, within the United States, in violation

1 of Title 8, United States Code, Sections 1324(a)(1)(A)(iii), 1324(a)(A)(v)(I), and
2 1324(a)(1)(B)(i).

3 **OBJECT OF THE CONSPIRACY**

4 It was an object of the conspiracy that the defendants would knowingly conceal,
5 harbor, and shield from detection certain aliens, including Juan Manuel Muzzio, Paola
6 Rios, Yvonne Goldson, and Garfield Atherton, within the United States, knowing said
7 aliens had come to, entered and remained in the United States in violation of law.

8 All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii)
9 1324(a)(1)(A)(v)(I), and 1324(a)(1)(B)(ii).

10 **DATED:** this 26 day of June 2007.

11 **A TRUE BILL:**

12
13 /s/
14 FOREPERSON OF THE GRAND JURY

15 STEVEN W. MYHRE
16 Acting United States Attorney

17 
18 KIMBERLY M. FRAYN
19 Assistant United States Attorney

20

21

22

23

24

25

26